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| PERKINS COLE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247 | | | EXAMINER ROSWELL, MICHAEL | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/063,296

Applicant(s)

CADIZ ET AL.

Examiner

Michael Roswell

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2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 66-98 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 66-98 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

AT

DETAILED ACTION

Claim Objections

Claim 94 is objected to because of the following informalities: duplicate copies of the claim exist on page 6 of the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 70 recites the limitation "a ticket dropped onto the sidebar" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 66-71, 88, and 91-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art, the Snippets Software Information Delivery Platform, hereinafter Snippets.

Regarding claims 66 and 91, Snippets teaches a shareable ticket that refers to information of interest (taught as the accessing of multiple data sources and for user tracking, in the "Multiple Data Sources" paragraph of the "Features" section), a first viewer for generating a thumbnail that dynamically changes as the information of interest referred to by the shareable ticket changes (taught as the dynamic updates to the

----- "Dashboard-style User Interface" found in the "Features" section), a second viewer for generating a summary view of the information of interest referred to by the shareable ticket when the thumbnail is selected (taught as the second level of detail of an information source accessed by a user after single-clicking an information thumbnail, as found in the "Features" section), a third viewer for generating a detailed view of the information of interest referred to by the shareable ticket (taught as the accessing of the information source itself upon a user double-clicking an information thumbnail, as found in the "Features" section), and a sidebar window that can host viewers, each viewer adhering to a predefined interface and specialized for a source of information of interest, wherein the sidebar window is not coverable by other application windows (taught as the Snippets bar itself and the information thumbnails contained within the bar, as seen in the "Products" section). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to access the third, detailed view by selecting the summary view of the information of interest. Applicant has not disclosed that selecting the summary view to access the detailed view provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the double clicking of the information thumbnails as taught by Snippets, because both allow the user to access a more detailed view of the information of interest upon a user command.

Regarding claim 67, Snippets discloses in the "Features" section a service for automatically and dynamically tracking a current state of the information of interest.

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Regarding claim 68, Snippets discloses in the "Features" section dynamically displaying the current state of the information of interest on the display device in a displayed thumbnail. See also the "Products" section of Snippets.

Regarding claim 69, Snippets has been shown *supra* to teach thumbnails in an always visible sidebar on a display. However, Barrus fails to explicitly teach the resizing of a container so that any thumbnails hosted in the container are automatically resized after resizing the container. It is well known in the art that the resizing of windows can also serve to resize the contents within them. For example, the resizing of many multimedia video player windows, such as the Winamp media player, also resizes the media accordingly. Furthermore, many text and image editors exist that allow for the resizing of the text and images within them by simply resizing the container they are displayed in. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to combine the multimedia messaging system of Snippets with these well known teachings to obtain an information monitoring system wherein the media within the thumbnails are automatically resized when the window is resized. One would be motivated to make such a combination for the advantage of quick and easy and sizing of a window and its contents.

Regarding claim 70, Snippets shows a multi-viewer capable of displaying information from more than one source of information of interest, as shown in the "Products" section, as there are multiple thumbnails on the Snippets bar.

Regarding claim 71, Snippets teaches the multi-viewer being selectable to display individual viewers for each source of information of interest, taught as the ability

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to click on an information thumbnail to bring up a more detailed view, as disclosed in the "Features" section.

Regarding claim 88, Snippets discloses in the "Snippets Developer Kit" section the use of methods and tools for extracting and controlling XML data.

Regarding claims 92 and 93, Snippets teaches pointers to each of the viewers assigned to a ticket, and a pointer to a service used to interact with the information of interest referred to by the ticket, as the system must inherently include pointers that enable the access of information of interest, as can be seen in the diagram of the "Technology" section.

Regarding claim 94, Snippets teaches the service being an email server, as seen in the diagram of the "Technology" section, which notes a POP3 server as being an information source.

Regarding claim 95, as Snippets while teaches the inclusion of email servers and other enterprise applications for dynamic tracking of information, Snippets fails to explicitly teach the inclusion of instant messaging applications in the tracking toolbar. However, since Snippets discloses tracking communications software such as email, it would have been obvious to include similar communications software, such as instant messaging applications, for dynamic display. One would be motivated to make such a combination for the advantage of tracking frequently used software, such as communications software.

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Regarding claims 96-98, it can be seen from the Snippets bar in the "Products" section that the thumbnails of Snippets include textual and graphical information. Although Snippets fails to explicitly teach the associating audible information with the information thumbnails, associating audible information with alerts is notoriously well known in the art, and would have been obvious to include with the graphical alerts provided by Snippets. One would have been motivated to make such a combination for the advantage of notifying the user about changes to tracked information without requiring the user to be monitoring the display.

Claims 72-75 and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snippets and Barrus et al (previously cited prior art), hereinafter Barrus.

Regarding claim 72, Snippets teaches a system that includes shareable tickets for displaying thumbnails representing information of interest, and displaying a summary and detailed view of such information at a user's request.

However, Snippets fails to explicitly teach sharing a ticket by sending the ticket as an email attachment.

Barrus teaches a system for the automatic generation of thumbnails representing the current state of media and information of interest, similar to that of Snippets. Furthermore, Barrus shows the sharing of tickets between the first user and the at least one additional user by sending at least one ticket as an email attachment, taught as the attaching of a media object to an e-mail message, at cols. 1-2, lines 61-67 and 1-2.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Snippets and Barrus before him at the time the invention was made to modify the dynamic information tracking system of Snippets to include the ticket sharing

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through email attachment of Barrus, in order to obtain a system for tracking information of interest wherein a user is able to track information by way of a ticket accessed through email.

One would be motivated to make such a combination for the advantage of simple ticket sharing afforded by email messaging and attachment downloading.

Regarding claim 73, Barrus teaches the sharing of tickets between the first user and the at least one additional user by saving each ticket to a computer readable medium, and providing the computer readable medium to the at least one additional user, taught as a server accepting changes to a multimedia message and updating any interested parties of the changes, at col. 27, lines 14-16.

Regarding claims 74 and 87, Barrus shows dragging and dropping at least one ticket or electronic file from a remote web site to the sidebar window, taught as dragging and dropping an image off of a web page and into a multimedia message window, at cols. 20 and 21, lines 35-42 and 13-17.

Regarding claim 75, Barrus teaches paring a dropped ticket with a compatible viewer, where the information represented by the dropped ticket is automatically displayed as a thumbnail within the sidebar window, taught as the automatic generation of an object thumbnail upon the completion of the drag-and-drop method, at col. 21, lines 28-38.

Claims 76-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snippets and Sasaki (previously cited).

Regarding claim 76, Snippets has been shown to teach *supra* the dynamic display of information of interest to a user.

Snippets fails to explicitly teach the display of information of interest when the information is a contact.

Sasaki teaches displaying information of interest on a display screen of a user, in this case chat information, at page 1, ¶ 0004. Sasaki further teaches displaying information related to user contacts, at page 2, ¶ 0021.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Snippets and Sasaki before him at the time of the invention to modify the display of information of interest of Snippets to include the contact information of Sasaki in order to obtain a display of information of interest wherein the information of interest is contact information.

One would be motivated to make such a combination in order to dynamically keep track of the status of a user's contacts. See Sasaki, page 1, ¶ 0009.

Regarding claim 77, Sasaki allows for the presentation of a graphical indication of the availability status of a contact, taught as the display of a symbol relating to a user's status, at page 2, ¶ 0027.

Regarding claims 78 and 80, Snippets has been shown *supra* to provide more detailed information upon the selection of a thumbnail. Sasaki teaches the display of a person window for tracking the availability of and chatting with contacts, at Fig. 8 and page 4, ¶ 0079.

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Regarding claim 79, Fig. 9 of Sasaki shows the availability status of contacts across multiple communication channels.

Regarding claim 81, Sasaki teaches the display of a historical availability of a contact by displaying the last known status for a contact and saving the status in a status table for display when the user participates in another session of the same channel, at page 4, ¶ 0066.

Claims 82-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snippets and Tuniman et al (US Patent 5,644,737), hereinafter Tuniman.

Snippets has been shown to teach *supra* the dynamic display of information of interest to a user.

However, Snippets fails to explicitly teach the capability to arrange thumbnails within the sidebar window, the thumbnails being arranged either automatically or via a user interface.

Tuniman teaches a system for organizing toolbars similar to that used by Snippets. Furthermore, Tuniman teaches the ability to arrange graphical objects within the toolbar, both automatically and via user selection, at col. 1, lines 38-53.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Snippets and Tuniman before him at the time the invention was made to modify the dynamic display of information of interest of Snippets to include the graphical object arrangement capability of Tuniman in order to obtain a system for tracking information of interest wherein representative thumbnails are arranged, either automatically or by a user.

One would be motivated to make such a combination of the advantage of customization of displayed information, making viewing and accessing of information of interest easier for a user.

Claims 85, 86 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snippets and the applicant's submitted InfoGate reference (Reference 3), as supported by the BotKnowledge InfoGate Review.

Regarding claims 85 and 86, Snippets have been shown to teach *supra* a thumbnail dynamically displaying a summary of the current state of information of interest on a display, and increasing the size of the thumbnail.

Snippets fails to explicitly teach the display of additional information upon increasing the size of the thumbnail, and less information upon decreasing the size of the thumbnail.

InfoGate teaches a customizable toolbar used to dynamically deliver selected information to the desktop of a user, similar to the multimedia messages of Snippets. As can be seen in the image of the BotKnowledge reference, the enlarged size of the InfoGate ticker window allows for the presentation of more information, such as stock alerts, while the decreased ticker window size displays less information.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Snippets and InfoGate before him at the time of the invention to combine the resizable multimedia messages of Snippets with the ability to display varying amounts of information proportionate to the thumbnail size of InfoGate, to obtain a dynamically updated messaging system where varying amounts of a certain type of information may be displayed on the screen.

One would be motivated to make such a combination for the advantage of enhancing user customizability by allowing selected information to be more or less prevalent on the display, as the user sees fit. Motivation for such a combination is given by InfoGate, who teach a highly personalized desktop ticker on page 1 of the reference.

Regarding claim 90, InfoGate teaches the automatic display of a thumbnail at a predetermined time in response to a scheduled event for a user, taught as the use of alerts for bringing up to the moment information to the desktop toolbar as scheduled by the user, in the form of a predetermined price of stock quotes, at page 4.

Claim 89 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snippets and Brown.

Snippets has been shown *supra* to teach the display of dynamic information of interest through thumbnails.

Snippets fails to explicitly teach including with each ticket a visibility flag, where particular thumbnails are only displayed when the visibility flag is set.

Brown teaches a system related to the display of objects in a computer graphics system (col. 1, lines 7-10), similar to the objects displayed by Snippets. Furthermore, Brown teaches the setting of a visibility flag to determine whether or not an object is displayed on screen, similar to applicant's claimed visibility flag for particular thumbnails, at col. 9-10, lines 58-67 and 1-7.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Snippets and Brown before him at the time the invention was made to

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----- modify the dynamic thumbnails of Snippets to include the visibility flags of Brown in order to obtain a system for selectively displaying dynamically updated information.

One would be motivated to make such a combination for the advantage of selectively displaying information on a screen and improve the graphic performance of a system. See Brown, col. 3, lines 2-6.

Response to Arguments

Applicant's arguments with respect to claims 66-98 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Michael Roswell
9/28/2005



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173